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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,566	09/27/2001	Shigeru Kimura	14968	3079
23389	7590	09/29/2004	EXAMINER	
SCULLY SCOTT MURPHY & PRESSER, PC 400 GARDEN CITY PLAZA GARDEN CITY, NY 11530			BROCK II, PAUL E	
			ART UNIT	PAPER NUMBER
			2815	

DATE MAILED: 09/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/965,566

Applicant(s)

KIMURA ET AL.

Examiner

Paul E Brock II

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) 2-9 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Election/Restrictions*

1. Applicant's election of Species I, claim 1, represented in figure 2, in Paper No. 5 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).
2. Claims 2 – 9 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 5.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Aoki et al. (JPPAT 07036061A, Aoki).

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Aoki discloses in figures 1 – 3 a liquid crystal (LCD) device comprising a TFT panel, a counter panel and liquid crystal disposed therebetween. Aoki discloses in figures 1 – 3 a transparent substrate (10). Aoki discloses in figures 1 – 3 a plurality of scanning lines (1) overlaying the transparent substrate to extend in a row direction in a horizontal plane (the plane across the top of the lines 1 and 5 as depicted in figure 5). Aoki discloses in figures 1 – 3 a plurality of signal lines (2) overlying the transparent substrate to extend in a column direction. Aoki discloses in figures 1 – 3 a plurality of common lines (5) in the horizontal plane each corresponding to one of the scanning lines to extend in the row direction parallel to the one of the scanning lines, the scanning lines and the common lines are formed in a single layer (11). Aoki discloses in figures 1 – 3 an array of pixels each disposed at an intersection between one of the scanning lines and one of the signal lines, the common lines having extending portions (H) extending outside an area for the array of pixels. Aoki discloses in figures 1 – 3 a coupling line (7) coupling the extending portions together and formed in the single layer, the coupling line connecting the common lines. Aoki discloses in figures 1 and 3 wherein the coupling line and the common lines are connected (at point H in figure 3) on the same horizontal plane (while figures 3 and 5 are on different scales, the plane at the top of common lines 5 is the same plane as defined above).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Aoki as applied to claim 1 above, and further in view of Abe et al. (USPAT 6661476, Abe).

Aoki discloses in figure 2 further comprising a conductor film (15), wherein the conductor film, the scanning lines, the common lines and the coupling line are formed on the transparent substrate. Aoki teaches in figure 2 that the conductor film is a drain electrode made of titanium. Aoki does not teach that the conductor film is a two layer structure. Abe teaches in figure 7 and column 11, lines 48 – 58 a conductor film having a two layer structure drain electrode including an Al film (41a) and an overlying TiN film (41b). It would have been obvious to one of ordinary skill in the art at the time of the present invention to use the two layered conductive film structure of Abe in the structure of Aoki in order to ensure good electrical connection as stated by Abe in column 11, lines 48 – 58.

### ***Response to Arguments***

7. Applicant's arguments filed February 2, 2004 have been fully considered but they are not persuasive.

8. With regard to the applicant's argument that "it is clear that the common lines 7 and capacitance lines 5 in Aoki cannot be on a same plane, " it should be noted that the top of Aoki's scanning lines 1 and common lines 5 are in the same horizontal plane. Aoki's coupling line 7 is

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clearly connected to the common line 5 on that same horizontal plane. Therefore, applicant's arguments are not persuasive and the rejection is proper.

9. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "the common lines and coupling line... overlie on a same horizontal plane") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul E Brock II whose telephone number is (571) 272-1723. The examiner can normally be reached on 8:30 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Thomas can be reached on (571) 272-1664. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Paul E Brock II

A handwritten signature in black ink, appearing to read "Paul E Brock II", with a long, sweeping horizontal line extending to the right.